

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Michael Asaro**
Docket No. **272488**
L.C. No. **03-012765-01**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The application for leave to appeal is DISMISSED for lack of jurisdiction because the lower court had not entered the undated opinion and order stating the reasons for its downward departure from the sentencing guidelines after remand from this Court in Docket Nos. 254765 and 254837; thus, the application is premature. MCR 7.203(B), 7.204(A) and 7.205(A). The prosecution will have an appeal as of right once the lower court enters the appropriate order in the register of actions. MCR 7.202(6)(b)(iv), and may file a complaint for superintending control if the lower court refuses to do so.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 16 2007

Date

Sandra Schultz Mengel
Chief Clerk